

JUDGE TATTERSON

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 21 JUL 2010
: INFORMATION

UNITED STATES OF AMERICA

- v. -

JOSE NAVARRO,
a/k/a "Serrano,"

: 10 Cr.

Defendant.

10 CRIM 635

- - - - - X

COUNT ONE

The United States Attorney charges:

1. On or about May 22, 2010, in the Southern District of New York, JOSE NAVARRO, a/k/a "Serrano," the defendant, unlawfully, intentionally, and knowingly, did distribute and possess with intent to distribute a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B); Title 18, United States Code, Section 2.)

COUNT TWO

The Grand Jury further charges:

2. From at least in or about May 2010, up to and including May 22, 2010, in the Southern District of New York and elsewhere, JOSE NAVARRO, a/k/a "Serrano," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together

and with each other to violate the narcotics laws of the United States.

3. It was a part and an object of the conspiracy that JOSE NAVARRO, a/k/a "Serrano," the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute controlled substances, in violation of 21 U.S.C. § 841(a)(1).

4. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in Counts One and Two of this Information, JOSE NAVARRO, a/k/a "Serrano," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Information.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a) cannot be located upon the exercise of due

diligence;

b) has been transferred or sold to, or deposited with, a third person;

c) has been placed beyond the jurisdiction of the Court;

d) has been substantially diminished in value;
or

e) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846, and 853.)



PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Defendant.

INFORMATION

10 Cr.

(21 U.S.C. §§ 812, 841(a)(1),
841(b)(1)(A); 846, and 841(b)(1)(A); and
18 U.S.C. § 2.)

PREET BHARARA

United States Attorney.

July 21, 2010: Waiver of Indictment filed, Defendant was arraigned and entered a Not guilty plea to the Information as charged. Discovery to be produced by 8/20/10, Motions to be filed by 9/17/10 and response from govt is due by 9/24/10. Oral argument is set for 9/28/10 @ 4pm. Time is excluded from today until 9/28/10. Defendant continued remanded.

J. Patterson.